

2153



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Mastrianni et al.**

Serial No.: **09/865,249**

Filed: **May 25, 2001**

For: **Method and Apparatus for the Automatic Migration of Applications and their Associated Data and Configuration Files**

**35526**

PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

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Group Art Unit: **2153**

Examiner: **Burgess, Glenton B.**

Attorney Docket No.: **YOR920010276US1**

**Certificate of Mailing Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 7, 2004.

By:

*Dell Whitton*  
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**TRANSMITTAL DOCUMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Supplemental Information Disclosure Statement;
- Form PTO-1449;
- References AA-AL; and
- Our return postcard.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 50-0510. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 50-0510.

Respectfully submitted,

*Duke W. Yee*

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#3

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO-1449 be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. 1.97.

Please charge any fees necessary for prosecution of the present application to Deposit Account No. 50-0510. If any extension of time is required, such extension is hereby requested. Please charge any additional required fee for extension of time to Deposit Account No. 50-0510.


In accordance with 37 C.F.R. 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standards of materiality defined in 37 C.F.R. 1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. 1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the

Examiner. In accordance with 37 C.F.R. 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) within three months of the filing date of the application, or before the mailing date of a first office action on the merits. No fee is required.

Date: May 7, 2004

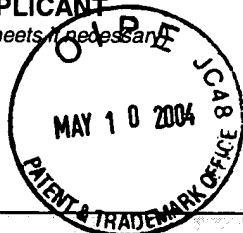
Respectfully submitted,

  
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Form PTO-1449

LIST OF PRIOR ART CITED  
BY APPLICANT

(Use several sheets if necessary)

ATTORNEY DOCKET NO.  
YOR920010276US1SERIAL NO.  
09/865,249

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MAY 12 2004

APPLICANT Mastrianni et al.

Technology Center 2100

FILING DATE May 25, 2001

GROUP ART UNIT 2153

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	INVENTOR NAME	CLASS/ SUBCLASS	FILING DATE
	AA 6,279,011 B1	Aug. 21, 2001	Muhlestein	707/204	Jun. 19, 1998
	AB 6,266,679 B1	Jul. 24, 2001	Szalwinski et al.	707/204	Oct. 12, 1999
	AC 6,714,952 B2	Mar. 30, 2004	Dunham et al.	707/204	Nov. 10, 1999
	AD 5,649,205	Jul. 15, 1997	Martins	395/712	Jul. 7, 1989
	AE 5,729,735	Mar. 17, 1998	Meyering	395/610	Feb. 8, 1995
	AF 5,991,772	Nov. 23, 1999	Doherty et al.	707/202	Oct. 31, 1997
	AG 6,088,694	Jul. 11, 2000	Burns et al.	707/8	Mar. 31, 1998
	AH 6,665,689 B2	Dec. 16, 2003	Muhlestein	707/204	May 17, 2001
	AI 6,453,325 B1	Sep. 17, 2002	Cabrera et al.	707/204	Feb. 3, 1997

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	PUBLICATION DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES NO
	AJ WO 00/19337	Apr. 6, 2000	WIPO	G06F 17/30	X

## OTHER PRIOR ART (including author, title, date, pertinent page, etc.)

AK	EMC Data Manager, EDM Symmetri connect, A description of EDM Symmetrix Connect Backup published on November 1998, pp. 1-9.				
AL	EMC2 White Paper, "Backup Solutions for the Celerra File Server", printed May 15, 2001, pp. 1-8.				

## RELATED PATENT APPLICATIONS

EXAMINER INITIAL	APPLICATION NO./ ATTY. DOCKET NO.	APPLICANT	TITLE	FILING DATE

DATE CONSIDERED

EXAMINER

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.